

ASSEMBLY BILL

No. 1150

Introduced by Assembly Member Lieu

February 23, 2007

An act to amend Section 40201 of the Public Resources Code, relating to solid waste.

LEGISLATIVE COUNSEL'S DIGEST

AB 1150, as introduced, Lieu. Solid waste: transformation.

(1) The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste Management Board and requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The first and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, through source reduction, recycling, and composting activities and this 50% diversion requirement is limited to including not more than 10% through transformation. The act defines the term “transformation” as meaning incineration, pyrolysis, distillation, or biological conversion other than composting.

This bill would instead define transformation as the incineration of solid waste, or the processing of solid waste through a noncombustion thermal, chemical, or biological process. The bill would create a state-mandated local program by imposing new duties upon local agencies with regard to meeting the act’s diversion requirements.

(2) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 40201 of the Public Resources Code is
- 2 amended to read:
- 3 40201. “Transformation” means *the* incineration, ~~pyrolysis,~~
- 4 ~~distillation, or biological conversion other than composting of solid~~
- 5 ~~waste or the processing of solid waste, through a noncombustion~~
- 6 ~~thermal, chemical, or biological process.~~—“Transformation”
- 7 *Transformation* does not include composting, gasification, or
- 8 biomass conversion.
- 9 SEC. 2. No reimbursement is required by this act pursuant to
- 10 Section 6 of Article XIII B of the California Constitution because
- 11 a local agency or school district has the authority to levy service
- 12 charges, fees, or assessments sufficient to pay for the program or
- 13 level of service mandated by this act, within the meaning of Section
- 14 17556 of the Government Code.